

CITY COUNCIL MINUTES

FOR

MARCH 24, 2005

The Round Rock City Council met in Work Session and Regular Session on Thursday, March 24, 2005, in the City Council Chamber, 221 E. Main Street.

CALL WORK SESSION TO ORDER – 6:30 P.M. Mayor Pro-tem McGraw called the Work Session to order in the absence of Mayor Maxwell.

ROLL CALL: Those members present were Mayor Pro-tem Alan McGraw, Councilmember Joe Clifford, Councilmember Scot Knight, Councilmember Scott Rhode and Councilmember Gary Coe. Mayor Nyle Maxwell and Councilmember Tom Nielson were absent. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

PRESENTATIONS:

3.A. Consider a presentation on an update of City-related legislation currently pending or being contemplated by the Texas Legislature and the U.S. Congress.

Clarence West, the City's legislative representative for telecommunication issues outlined the following bills.

HB789 - Telecommunications: among other things, would provide for a complete overhaul of state laws relating to telecommunications and advanced broadband services (e.g. DSL, cable, and fiber-to-the-premises.)

HB3179 - Telecommunications: among other things, this bill begins by making a finding that city right-of-way fees and the tax treatment of competing voice and video services have developed in a patchwork manner that is not competitively-neutral among competing communication service providers. This bill would impose a 3.95% "intermodal communications assessment" on each of telecommunications services in Texas.

David Kautz, Assistant City Manager outlined the following bills.

HB784 - lowers the appraisal cap from ten percent to five percent and applies the cap to all real property. The City is opposed to this bill due to the negative affect to citizens.

HB1006 – relating to property tax caps as follows: (1) lowers the rollback rate from 8% to 3%; (2) provides that, for cities with property tax levies in excess of \$5,000,000, failure to hold a required tax increase hearing will result in lowering of the tax rate to the effective tax rate (under current law, failure to conduct a hearing results in lowering taxes to a rate equal to 103% of the effective tax rate); (3) provides different tax increase hearing notice requirements for cities that levy property taxes in excess of \$5,000,000; (4) provides that a city must hold an election of the voters to ratify any tax rate that exceeds the rollback rate; (5) provides that the ratification election must be held between 30 and 90 days after the city council adopts a rate that exceeds the rollback rate; and (6) provides that a failed ratification election results in a tax rate equal to the rollback rate.

Joe Vining, Executive Director of Community Development outlined the following bills:

HB1704 - relating to the approval of certain permit applications by local governments.

HB323 - relating to a revision of the procedures for municipal annexation. This bill stops both voluntary and involuntary annexations and would require an election to expand the City's city limits.

Jim Nuse outlined the City's legislative agenda. He added that the City's legislative representatives are authorized to testify on behalf of the City for or against the following proposals as appropriate:

1. Streamlined Sales Tax - The City is opposed to any change in the sales tax sourcing rule currently in place.
2. Texas State University Appropriations - The City requested its local delegation to support the request by Texas State University for an additional building at the Higher Education Center in Round Rock.
3. Hotel/Motel Funds for Sport Facility Development - The City requested its local delegation to propose legislation that would expand the permitted uses for hotel/motel tax funds to include the development and expansion of City facilities that support state and youth sporting events.
4. Competitive Sealed Proposal Expansion - The City requested that its legislative delegation introduce legislation that would amend Chapter 252 and 271 of the Texas Local Government Code

to allow competitive sealed proposals and the other alternative bidding procedures authorized under state law for the construction of highways, roads, streets, utilities, and water and wastewater treatment plants.

5. Civil Service Commission members - The City Council requested that its legislative delegation support legislation that amends the Civil Service statute to allow local Civil Service Commissioners to be reappointed for more than one term.

6. Opposition to Certain Legislation - The City requested its local delegation to oppose any legislation that will place appraisal caps on property beyond the ten percent (10%) currently mandated by law; any legislation that would place revenue caps on the City; any expansion of the sales tax that does not allow the City to include their portion on the item; and any new reforms to the annexation statute.

There being no further business, Mayor Pro-tem McGraw recessed the meeting.

CALL REGULAR SESSION TO ORDER – 7:10 P.M. Mayor Maxwell called the regular session to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE: Mayor Maxwell led the Pledge of Allegiance.

ROLL CALL: Those members present were Mayor Nyle Maxwell, Mayor Pro-tem Alan McGraw, Councilmember Joe Clifford, Councilmember Scot Knight, Councilmember Scott Rhode and Councilmember Gary Coe. Councilmember Tom Nielson was absent. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

CITIZENS COMMUNICATIONS:

The following individuals expressed their concern and support regarding public transportation in Round Rock.

Consuelo Castillo, 1525 Chisholm Trail

Jacob Suarez, Austin

Melissa Nylander, 1714 Zydeco Drive

Cynthia Suarez, 8013 Scotland Yard

PROCLAMATIONS:

8.A. Consider proclaiming American Red Cross Month. Mayor Maxwell read the following

proclamation and presented it to Audrey Simmons of the American Red Cross.

WHEREAS, The American Red Cross is one of the nation's oldest, most recognized humanitarian organizations, and is woven tightly into the fabric of Central Texas; and

WHEREAS, for more than 88 years, the American Red Cross of Central Texas has been the place where citizens join together and are always willing to reach out and take care of others in need from home fires to windstorms and flooding; and

WHEREAS, the Red Cross also serves military families by delivering emergency messages between soldiers and their families back home, and also helps to provide critical aid to the victims of disease, famine, war and natural disasters; and

WHEREAS, our community is indeed fortunate to have this organization with hundreds of volunteers dedicated to relieving suffering and saving lives, and restoring hope at home and throughout the world everyday; and

NOW THEREFORE, I, Nyle Maxwell, Mayor of the City of Round Rock do hereby proclaim March 2005 as

"American Red Cross Month"

and urge all residents of Round Rock to continue to volunteer their time, and give generously to the American Red Cross and its local offices.

PROCLAIMED this 24th day of March 2005.

8.B. Consider proclaiming March 21-25, 2005 as Round Rock Medical Center Week.

Mayor Maxwell read the following proclamation and presented it to Celeste Lesmeister, Director of Marketing and Business Development of the Round Rock Medical Center.

WHEREAS, on September 1, 1983 the Round Rock Community Hospital opened its doors forever changing the health care landscape of Round Rock; and

WHEREAS, the once small rural hospital has grown into a major medical center with state-of-the art digitized technology and top-notch health services that will serve the health care needs of Williamson County; and

WHEREAS, Round Rock Medical Center in their continuing effort to provide specialized services, medical expertise and convenience closer to home will celebrate by having a groundbreaking for their major expansion on March 23, 2005,

NOW THEREFORE, I, Nyle Maxwell, Mayor of the City of Round Rock, Texas, do hereby proclaim the week of March 21-25, 2005 as

"ROUND ROCK MEDICAL CENTER WEEK"

in the City of Round Rock and urge everyone to join me and the Round Rock City Council in congratulating Round Rock Medical Center as they embark on their major expansion to better serve the citizens of Round Rock and Williamson County.

PROCLAIMED this 24th day of March 2005.

CONSENT AGENDA:

The following items were considered routine by the City Council and were enacted by one motion with no discussion.

*10.A. Consider approval of the City Council minutes for March 10, 2005.

*11.A.1. Consider an ordinance authorizing the Mayor to execute a franchise agreement

with Pedernales Electric Cooperative (PEC). (Second Reading)

*11.B.1. Consider an ordinance determining the public necessity for the acquisition of a fee simple interest in a 0.022 acre parcel of land (Parcel No. 16, CM Collier) for the proposed Red Bud Lane (CR 122) Improvement Project, and if necessary, authorizing the City Attorney to initiate eminent domain proceedings.

*11.B.2. Consider an ordinance determining the public necessity for the acquisition of a fee simple interest in a 0.131 acre parcel of land for the proposed Red Bud Lane (CR 122) Improvement Project, and if necessary, authorizing the City Attorney to initiate eminent domain proceedings.

*11.C.2. Consider an ordinance amending Chapter 9, Section 9.502 of the Code of Ordinances (1995 Edition) establishing a 35-mph speed zone on Dell Way from Greenlawn Boulevard to a point 0.366 miles west of Greenlawn Boulevard. (First Reading)

*11.C.3. Consider an ordinance amending Chapter 9, Section 9.502 of the Code of Ordinances (1995 Edition) establishing a 45-mph speed zone on Old Settlers Boulevard from 750' east of Sunrise Road to FM 1460. (Second Reading)

*11.C.4. Consider an ordinance amending Chapter 9, Section 9.502 of the Code of Ordinances (1995 Edition) establishing a 45-mph speed zone on Kiphen Road from FM 1460 to CR 122. (Second Reading)

*11.C.5. Consider an ordinance amending Chapter 9, Section 9.503 of the Code of Ordinances (1995 Edition) establishing school speed zones in the Behrens Ranch Subdivision. (Second Reading)

*12.A.1. Consider a resolution authorizing the Mayor to make the necessary grant application to the U.S. Department of Justice, Office of Justice Programs for a Justice Assistance Grant.

*12.B.1. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant Program Agreement with the Round Rock Housing Authority for a Senior Activity Program for \$8,500.00.

MOTION: Councilmember Rhode moved to approve all the items on the consent agenda. Councilmember Clifford seconded the motion.

ORDINANCE NO. _____

AN ORDINANCE GRANTING THE RIGHT, PRIVILEGE AND FRANCHISE TO PEDERNALES ELECTRIC COOPERATIVE, INC., AND ITS SUCCESSORS AND ASSIGNS, TO USE THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF ROUND ROCK, TEXAS FOR THE DISTRIBUTION OF ELECTRIC POWER; PROVIDING FOR PERIOD OF GRANT; FOR METHOD OF ACCEPTANCE; FOR CONSIDERATION; FOR CONSTRUCTION AND RELOCATION OF SYSTEM FACILITIES; FOR ASSIGNMENT; AND FOR REPEAL OF CONFLICTING ORDINANCES.

11.A.2. Consider an ordinance granting a franchise to Time Warner Entertainment-

Advance/Newhouse Partnership for operating a cable system. (First Reading) Will Hampton,

Communications Director made the staff presentation. Since the Legislature is currently addressing bills regarding telecommunication, staff recommended that this item be tabled until the next meeting so staff can bring back an amended agreement that would extend the current franchise agreement with Time Warner until January 2006 and to increase the franchise fee to 5%.

ORDINANCE NO. _____

AN ORDINANCE GRANTING TO TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP A FRANCHISE FOR CONSTRUCTING, MAINTAINING, OPERATING AND USING A CABLE SYSTEM WITHIN THE CITY OF ROUND ROCK FOR THE PROVISION OF CABLE SERVICE AND OTHER SERVICES; PROVIDING THE TERMS AND CONDITIONS UNDER WHICH THE FACILITIES OF TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP WILL BE INSTALLED, OPERATED AND MAINTAINED; ESTABLISHING A TERM OF THE AGREEMENT; AND ESTABLISHING AN EFFECTIVE DATE.

MOTION: Mayor Pro-tem McGraw moved to table the ordinance. Councilmember Coe seconded the motion.

VOTE: Ayes: Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Knight

Councilmember Rhode

Councilmember Coe

Mayor Maxwell

Nays: None

Absent: Councilmember Nielson

ACTION: The motion carried unanimously.

*11.B.1. Consider an ordinance determining the public necessity for the acquisition of a fee simple interest in a 0.022 acre parcel of land (Parcel No. 16, CM Collier) for the proposed Red

Bud Lane (CR 122) Improvement Project, and if necessary, authorizing the City Attorney to initiate eminent domain proceedings. (First Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF ROUND ROCK, DETERMINING A PUBLIC NEED AND NECESSITY FOR THE FEE SIMPLE ACQUISITION OF 0.022 ACRES; GIVING NOTICE OF OFFICIAL DETERMINATION TO ACQUIRE SAID PROPERTY TO CONSTRUCT AND MAINTAIN IMPROVEMENTS FOR THE RED BUD LANE (CR 122) IMPROVEMENT PROJECT, AND ASSOCIATED PUBLIC USE AND PURPOSES; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF SAID PROPERTY; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE THE NEEDED PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

*11.B.2. Consider an ordinance determining the public necessity for the acquisition of a fee simple interest in a 0.131 acre parcel of land (Bruce Johnson) for the proposed Red Bud Lane (CR 122) Improvement Project, and if necessary, authorizing the City Attorney to initiate eminent domain proceedings. (First Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF ROUND ROCK, DETERMINING A PUBLIC NEED AND NECESSITY FOR THE FEE SIMPLE ACQUISITION OF APPROXIMATELY 0.131 ACRES; GIVING NOTICE OF OFFICIAL DETERMINATION TO ACQUIRE SAID PROPERTY TO CONSTRUCT AND MAINTAIN IMPROVEMENTS FOR THE RED BUD LANE (CR 122) ROAD IMPROVEMENT PROJECT, AND ASSOCIATED PUBLIC USE AND PURPOSES; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF SAID PROPERTY; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE THE NEEDED PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

11.C.1. Consider an ordinance amending the City of Round Rock Design and Construction Standards to revise Section 1 of the Street Design Criteria of the Transportation Criteria Manual. (First Reading) Tom Martin, Transportation Services Director made the staff presentation. The revised subdivision ordinance went into effect on January 1, 2005. The Design and Construction Standards, which included the General Guidelines, Drainage Criteria Manual, Standard Specification Criteria Manual, Transportation Criteria Manual, and Utility Criteria Manual, were approved on December 16, 2004. Based on public comment received during the approval process on the Design and Construction Standards (DACS), it was requested that the right-of-way width for residential streets be reduced from 55-feet to 50-feet. To accomplish this change, Table 1-7 and Figure 1-29 were both revised, reducing the right-of-way width to 50-feet. Additionally, pen

and ink changes were made to Figures 1-5 through 1-7, Figures 1-12 through 1-18, and Figures 1-21 through 1-25a.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 1 OF THE CITY OF ROUND ROCK DESIGN AND CONSTRUCTION STANDARDS - TRANSPORTATION CRITERIA MANUAL ADOPTED BY ORDINANCE NO. G-04-12-16-13A1, TO AMEND TABLE 1-7; TO REVISE FIGURES 1-6 THROUGH 1-7, FIGURES 1-12 THROUGH 1-17, FIGURES 1-21 THROUGH 1-25, FIGURE 1-25a, AND FIGURE 1-29; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Rhode moved to adopt the ordinance. Mayor Pro-tem McGraw seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Knight
		Councilmember Rhode
		Councilmember Coe
		Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Nielson

ACTION: The motion carried unanimously.

*11.C.2. Consider an ordinance amending Chapter 9, Section 9.502 of the Code of Ordinances (1995 Edition) establishing a 35-mph speed zone on Dell Way from Greenlawn Boulevard to a point 0.366 miles west of Greenlawn Boulevard. (First Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.502, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS CHANGING THE SPEED ZONE ON A PORTION OF DELL WAY; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*11.C.3. Consider an ordinance amending Chapter 9, Section 9.502 of the Code of Ordinances (1995 Edition) establishing a 45-mph speed zone on Old Settlers Boulevard from 750'

east of Sunrise Road to FM 1460. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.502, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS CHANGING THE SPEED ZONE ON A PORTION OF OLD SETTLERS BOULEVARD; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*11.C.4. Consider an ordinance amending Chapter 9, Section 9.502 of the Code of Ordinances (1995 Edition) establishing a 45-mph speed zone on Kiphen Road from FM 1460 to CR 122. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.502, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS CHANGING THE SPEED ZONE ON A PORTION OF KIPHEN ROAD; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

*11.C.5. Consider an ordinance amending Chapter 9, Section 9.503 of the Code of Ordinances (1995 Edition) establishing school speed zones in the Behrens Ranch Subdivision. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.503, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, DESIGNATING A PORTION OF WYOMING SPRINGS DRIVE, BEHRENS PARKWAY, AND GOLDENOAK CIRCLE AS SCHOOL SPEED ZONES; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

RESOLUTION:

*12.A.1. Consider a resolution authorizing the Mayor to make the necessary grant application to the U.S. Department of Justice, Office of Justice Programs for a Justice Assistance Grant. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the U.S. Department of Justice, has grant funds available to cities for various law enforcement projects, and

WHEREAS, Office of Justice Program Grant funds are available to procure equipment, technology, and other material directly related to basic law enforcement functions, and

WHEREAS, the City Council wishes to make application for the above-described grant, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to make the necessary application for the above-described grant.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of March, 2005.

*12.B.1. Consider a resolution authorizing the Mayor to execute a Community

Development Block Grant Program Agreement with the Round Rock Housing Authority for a Senior Activity Program for \$8,500.00. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, Public Law 93-383, and

WHEREAS, the City of Round Rock wishes to engage the Round Rock Housing Authority to assist the City in utilizing said funds, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant Program Agreement with the Round Rock Housing Authority for a Senior Activity Program, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant Agreement with the Round Rock Housing Authority for a Senior Activity Program, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of March, 2005.

12.C.1. Consider a resolution authorizing the Mayor to execute a Contract for Engineering

Services with HDR Engineering, Inc. for the Lake Travis Raw Water Supply System, Preliminary Options Analysis. Tom Clark, Utility Director made the staff presentation. As reported in the Water Distribution Master Plan dated August 2004, the city will need to access its Water Supply in Lake Travis by year 2010. Options include partnerships with the Cities of Austin or Cedar Park or a stand alone City treatment and delivery system. This study will review each option available to access water supplies from the Colorado River and develop cost alternatives so a decision can be made that is the best, most economical approach for the City. The cost of the contract is \$55,000.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock desires to retain engineering services for the Lake Travis Raw Water Supply System, Preliminary Options Analysis, and

WHEREAS, HDR Engineering, Inc. has submitted a Contract for Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with HDR Engineering, Inc.,
Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Contract for Engineering Services with HDR Engineering, Inc., for the Lake Travis Raw Water Supply System, Preliminary Options Analysis, a copy of said contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended

RESOLVED this 24th day of March, 2005.

MOTION: Councilmember Coe moved to approve the resolution. Councilmember Rhode seconded the motion.

VOTE: Ayes: Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Knight

Councilmember Rhode

Councilmember Coe

Mayor Maxwell

Nays: None

Absent: Councilmember Nielson

ACTION: The motion carried unanimously.

12.D.1. Consider a resolution approving a reimbursement to Canterbury Development, Ltd. for the cost of oversizing wastewater mains associated with the Eagle Ridge, Section 14, Phase III development. Tom Word, Chief of Public Works Operations made the staff presentation. The City requested as part of the Eagle Ridge Section 14, Phase III wastewater system improvements, that the 15-inch line be constructed to replace an older 15-inch line that was no longer compliant with current City specifications regarding alignment and depth. The city also requested that the 18-inch line be constructed to replace an older 15-inch line that was no longer compliant with City specifications regarding alignment and grade. According to engineering documentation provided at the time of platting, an 8-inch main would have been

sufficient for the needs of the development. The developer of Eagle Ridge Section 14, Phase III installed 590 linear feet of 15-inch wastewater main and 154 linear feet of 18-inch wastewater main within the Longhorn Trail right-of-way and within an abutting 40-foot public utility easement. According to documentation from the developer's engineer, the existing 15-inch and 18-inch wastewater mains that were in place, had to be realigned and the depth adjusted to assure the needs of the development complied with current City specifications. The 15-inch and 18-inch main diameters are necessary in order to provide service for future development in that particular service area. The cost of the reimbursement is \$14,742.

RESOLUTION NO. _____

WHEREAS, §8.503, Code of Ordinances (1995 Edition) provides for the reimbursement for the oversizing of wastewater mains, and

WHEREAS, Canteberry Development, Ltd. has submitted a reimbursement request for the oversizing of wastewater mains associated with the Eagle Ridge Section 14, Phase III subdivision (within the Longhorn Trail right-of-way and abutting Public Utility Easement), and

WHEREAS, the City Council wishes to approve said reimbursement, Now Therefore
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City Council hereby authorizes the reimbursement to Canteberry Development, Ltd. of \$14,742.00, which is the cost of oversizing wastewater mains associated with Eagle Ridge Section 14, Phase III subdivision (within the Longhorn Trail right-of-way and abutting Public Utility Easement).

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this the 24th day of March, 2005.

MOTION: Mayor Pro-tem McGraw moved to approve the resolution. Councilmember Knight seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Knight
		Councilmember Rhode
		Councilmember Coe
		Mayor Maxwell
	Nays:	None
	Absent:	Councilmember Nielson

ACTION: The motion carried unanimously.

12.D.2. Consider a resolution rejecting the only bid received for the Round Rock West Street Improvements Project. Tom Word, Chief of Public Works Operations made the staff presentation. On March 1, 2005 the City received only one bid for the Round Rock West Street Improvements project. Austin Bridge & Road submitted a base bid price of \$2,364,462.50 which was considerably higher than the engineer's estimate of \$1,665,768.60. Staff recommended that the project be re-bid to enable more contractors to familiarize themselves with the plans, the vicinity and the scope of the project and provide more competitive bids. Although the City and the residents of Round Rock West are anxious to complete this project, it is in the citizen's best interest to get a more competitive bidding platform to ensure that the City is able to provide the most improvements possible for the funds that are available.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has duly advertised for bids for the Round Rock West Street Improvements Project, and

WHEREAS, the Council has determined that the only bid received should be rejected and the project should be re-bid, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the only bid received for the Round Rock West Street Improvements Project is hereby rejected and the project should be re-bid.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of March, 2005.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Clifford seconded the motion.

VOTE: Ayes: Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Knight

Councilmember Rhode

Councilmember Coe

Mayor Maxwell

Nays: None

Absent: Councilmember Nielson

ACTION: The motion carried unanimously.

12.E.1. Consider a resolution authorizing the Mayor to make the necessary grant application to the Federal Emergency Management Agency for an Assistance to Firefighters Grant. Larry Hodge, Fire Chief made the staff presentation. It is estimated that the current population of 81,000 will rise by almost 50% over the next nine years. The purchase of apparatus and equipment with this grant will help provide the necessary fire protection. This grant application to the Assistance to Firefighters Grant Program will help obtain an aerial truck. The cost of the truck is \$900,000 and the City's matching funds will total \$180,000.

RESOLUTION NO. _____

WHEREAS, the Federal Emergency Management Agency has grant funds available to cities through the Assistance to Firefighters Grant Program, and

WHEREAS, Assistance to Firefighters Grant funds are available to partially fund the purchase of rescue apparatus and equipment, and

WHEREAS, the City Council wishes to make application for the above-described grant, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to make the necessary application for the above-described grant.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 24th day of March, 2005.

MOTION: Councilmember Clifford moved to approve the resolution. Councilmember Rhode seconded the motion.

VOTE: Ayes: Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Knight

Councilmember Rhode

Councilmember Coe

Mayor Maxwell

Nays: None

Absent: Councilmember Nielson

ACTION: The motion carried unanimously.

COUNCIL COMMENTS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:48 p.m.

Respectfully Submitted,

Christine R. Martinez, City Secretary